

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A method ~~of~~ for outputting data read from a recording medium, comprising the steps of:

decoding the data read from the recording medium; and
embedding electronic watermark information in the decoded data ~~if~~ when the decoded data is output as recording data.

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Claim 2 (currently amended): ~~[[A]]~~ The method according to Claim 1, further comprising the steps of determining ~~the~~ a type of the recording medium~~[[,]]~~ and changing said electronic watermark information based on ~~a result of the determination~~ the type of the recording medium.

Claim 3 (currently amended): ~~[[A]]~~ The method according to Claim 2, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating at least a first generation recording is allowed ~~if~~ when the recording medium is a read-only recording medium.

Claim 4 (currently amended): [[A]] The method according to Claim 3, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating recording is prohibited ~~if~~ when the recording medium is a recordable recording medium.

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Claim 5 (currently amended): [[A]] The method according to Claim 2, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating the ~~original~~ data ~~if~~ read from the recording medium when the recording medium is a read-only recording medium.

Claim 6 (currently amended): [[A]] The method according to Claim 5, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating the data is copied data ~~if~~ when the recording medium is a recordable recording medium.

Claim 7 (currently amended): [[A]] The method according to Claim 2, wherein the type of the recording medium is determined ~~depending upon~~ by determining whether ~~or not~~ a pit wobbling portion is ~~detected from~~ present on the recording medium.

Claim 8 (currently amended): [[A]] The method according to Claim 1, further comprising the step of not embedding said electronic watermark information in the decoded data when the decoded data is output as playback data.

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Claim 9 (currently amended): [[A]] The method according to Claim 1, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information for analog data in the decoded data when the decoded data is output in an analog format.

Claim 10 (currently amended): [[A]] The method according to Claim 9, wherein the decoded data is converted into an analog signal, and the electronic watermark information for analog data is embedded in the analog signal.

Claim 11 (currently amended): [[A]] The method according to Claim 9, further comprising the steps of determining the type of the recording medium[,] and changing the electronic watermark information for analog data based on ~~a result of the determination~~ the type of the recording medium.

Claim 12 (currently amended): [[A]] The method according to Claim 11, further comprising the step of embedding, ~~as the electronic watermark information for analog data,~~ electronic watermark information indicating at least first generation recording is allowed ~~if~~ when the recording medium is a read-only recording medium.

A2 Claim 13 (currently amended): [[A]] The method according to Claim 12, further comprising the step of embedding, ~~as the electronic watermark information for analog data,~~ electronic watermark information indicating recording is prohibited ~~if~~ when the recording medium is a recordable recording medium.

Claim 14 (currently amended): [[A]] The method according to Claim 11, further comprising the step of embedding, ~~as the electronic watermark information for analog data,~~ electronic watermark information indicating the ~~original~~ data ~~if~~ read from the recording medium when the recording medium is a read-only recording medium.

Claim 15 (currently amended): [[A]] The method according to Claim

14, further comprising the step of embedding, ~~as the electronic watermark information for analog data,~~ electronic watermark information indicating the data is copied data ~~if~~ when the recording medium is a recordable recording medium.

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Claim 16 (currently amended): ~~[[A]]~~ The method according to Claim 1, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information for digital data when the decoded data is output in a digital format as the recording data.

Claim 17 (currently amended): ~~[[A]]~~ The method according to Claim 16, further comprising the steps of determining ~~the~~ a type of the recording medium~~[[,]]~~ and changing the electronic watermark information for digital data based on ~~a result of the determination~~ the type of recording medium.

Claim 18 (currently amended): ~~[[A]]~~ The method according to Claim 17, further comprising the step of embedding, ~~as the electronic watermark information for digital data,~~ electronic watermark information indicating at least first generation recording is allowed ~~if~~ when the recording medium is a read-only recording

medium.

Claim 19 (currently amended): [[A]] The method according to Claim 18, further comprising the step of embedding, ~~as the electronic watermark information for digital data,~~ electronic watermark information indicating recording is prohibited if when the recording medium is a recordable recording medium.

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Claim 20 (currently amended): [[A]] The method according to Claim 17, further comprising the step of embedding, ~~as the electronic watermark information for digital data,~~ electronic watermark information indicating the ~~original~~ data if read from the recording medium when the recording medium is a read-only recording medium.

Claim 21 (currently amended): [[A]] The method according to Claim 20, further comprising the step of embedding, ~~as the electronic watermark information for digital data,~~ electronic watermark information indicating the data is copied data if when the recording medium is a recordable recording medium.

Claim 22 (currently amended): [[A]] The method according to Claim

1, further comprising the step of not embedding said electronic watermark information in the decoded data when an operating key is operated to give a playback command to execute a play back operation in an apparatus ~~on which~~ that has loaded thereon the recording medium ~~is loaded~~.

A2 Claim 23 (currently amended): [[A]] The method according to Claim 22, further comprising the step of embedding said electronic watermark information in the decoded data when an operating key is operated to ~~given~~ give a recording command to execute a recording operation in an apparatus ~~on which~~ that has loaded thereon the recording medium ~~is loaded~~.

Claim 24 (currently amended): A data recording method comprising the steps of:

determining whether ~~or not~~ electronic watermark information ~~was~~ is detected from received data;

~~if~~ when the electronic watermark information ~~was~~ is detected, executing a recording operation of the received data according to the detected electronic watermark information; and

~~if~~ when the electronic watermark information ~~was~~ is not detected, canceling the recording operation of the received data.

Claim 25 (currently amended): [[A]] The method according to Claim 24, further comprising the steps of, when the electronic watermark information is detected, decoding the detected electronic watermark information, and controlling the ~~operation~~ ~~of~~ recording of the received data according to a result of the decoding.

A2 Claim 26 (currently amended): [[A]] The method according to Claim 25, further comprising the step of ~~executing the~~ recording ~~operation of~~ the received data ~~if~~ when the decoded electronic watermark information indicates first-generation-recording is allowed.

Claim 27 (currently amended): [[A]] The method according to Claim 26, further comprising the step of canceling the recording ~~operation~~ of the received data ~~if~~ when the decoded electronic watermark information indicates recording is prohibited.

Claim 28 (currently amended): [[A]] The method according to Claim 24, further comprising the step of determining whether ~~the data~~ ~~format of~~ the received data is ~~an~~ analog ~~format~~ or a digital

~~format.~~

Claim 29 (currently amended): [[A]] The method according to Claim 28, further comprising the step of determining whether ~~or not~~ electronic watermark information for analog data ~~was~~ is detected from the received data ~~if~~ when it is determined that ~~the data format of the received data is the analog format.~~

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Claim 30 (currently amended): [[A]] The method according to Claim 29, further comprising the steps of, ~~if it is determined that the electronic watermark information for analog data was detected,~~ decoding the detected electronic watermark information for analog data [[,]] when the electronic watermark information for analog data is detected and ~~executing the recording operation of the~~ received data ~~if~~ when the decoded electronic watermark information for analog data indicates first-generation-recording is allowed.

Claim 31 (currently amended): [[A]] The method according to Claim 30, further comprising the step of canceling the recording ~~operation~~ of the received data ~~if~~ when the decoded electronic watermark information for analog data indicates recording is

prohibited.

Claim 32 (currently amended): [[A]] The method according to Claim 28, further comprising the step of determining whether ~~or not~~ electronic watermark information for digital data ~~was~~ is detected from the received data ~~if it is determined that the data format~~ of when the received data is a digital ~~format~~.

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Claim 33 (currently amended): [[A]] The method according to Claim 32, further comprising the steps of, ~~if it is determined that the electronic watermark information for digital data was detected,~~ decoding the detected electronic watermark information for digital data~~[[,]]~~ when it is determined that the electronic watermark information for digital data is detected and ~~executing the recording operation of~~ the received data ~~if~~ when the decoded electronic watermark information for digital data indicates first-generation-recording is allowed.

Claim 34 (currently amended): [[A]] The method according to Claim 33, further comprising the step of canceling the recording ~~operation~~ of the received data ~~if~~ when the decoded electronic watermark information for digital data indicates recording is

prohibited.

Claim 35 (currently amended): A method ~~of~~ for outputting data read from a recording medium, comprising the steps of:

detecting copy management information from the data read from the recording medium;

determining the detected copy management information; and

A2 embedding electronic watermark information in the data read from the recording medium according to the determined copy management information ~~if~~ when the data read from the recording medium is output as recording data.

Claim 36 (currently amended): ~~[[A]]~~ The method according to Claim 35, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating recording is prohibited ~~if~~ when the detected copy management information indicates at least first generation recording is allowed.

Claim 37 (currently amended): ~~[[A]]~~ The method according to Claim 35, further comprising the step of prohibiting the data read from the recording medium from being output as the recording data ~~if~~

when the detected copy management information is copy management information indicating recording is prohibited.

Claim 38 (currently amended): [[A]] The method according to Claim 35, further comprising the step of preventing said electronic watermark information from being embedded in the data read from the recording medium ~~if~~ when the data read from the recording medium is output as playback data.

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Claim 39 (currently amended): [[A]] The method according to Claim 35, further comprising the step of embedding, ~~said electronic watermark information,~~ electronic watermark information for analog data ~~if~~ when the data read from the recording medium is ~~output in an analog format~~ and output as the recording data.

Claim 40 (currently amended): [[A]] The method according to Claim 39, further comprising the steps of converting the data read from the recording medium into an analog signal[[,]] and embedding the electronic watermark information for analog data in the analog signal.

Claim 41 (currently amended): [[A]] The method according to Claim

35, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information for digital data ~~if~~ when the data read from the recording medium is ~~output in a digital format~~ and is output as the recording data.

Claim 42 (currently amended): A data output method comprising the steps of:

1A2 determining ~~the~~ a type of [[a]] destination device to which data is output;

determining whether ~~or not~~ the destination device is a ~~device~~ capable of transmitting and receiving the data in a secure state;

determining whether ~~or not~~ the designation device is a recording apparatus ~~if~~ when it is determined that the destination device is a ~~device~~ capable of transmitting and receiving the data in a secure state;

determining copy management information attached to the ~~output~~ data ~~if~~ when it is determined that the destination device is a recording apparatus; and

embedding electronic watermark information in the ~~output~~ data according to the determined copy management information.

Claim 43 (currently amended): [[A]] The method according to Claim 42, further comprising the step of embedding, ~~as said electronic watermark information,~~ electronic watermark information indicating recording is prohibited ~~if~~ when the detected copy management information indicates at least first generation recording is allowed.

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Claim 44 (currently amended): [[A]] The method according to Claim 42, further comprising the steps of encrypting the ~~output~~ data and outputting the encrypted data, and not outputting key data for decrypting the encrypted data ~~if~~ when the detected copy management information indicates recording is prohibited.

Claim 45 (currently amended): [[A]] The method according to Claim 42, further comprising the steps of encrypting the ~~output~~ data, and outputting key data for decrypting the encrypted ~~output~~ data ~~if~~ when it is determined that the destination device is a device capable of transmitting and receiving data in a secure state but is not a recording apparatus.

Claim 46 (currently amended): [[A]] The method according to Claim 42, further comprising the steps of encrypting the ~~output~~ data

and outputting the encrypted data, and not outputting key data for decrypting the encrypted data ~~if~~ when the destination device is not a device capable of transmitting and receiving data in a secure state.

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Claim 47 (currently amended): ~~[[A]]~~ The method according to Claim 42, further comprising the step of determining whether ~~or not~~ the destination device is ~~a device~~ capable of transmitting and receiving the data in a secure state by determining whether ~~or not~~ the destination device is compatible with an IEEE 1394 interface.

Claim 48 (currently amended): An apparatus for playing back a recording medium, comprising:

 a head for reading data from the recording medium;
 a decoder for decoding an output signal from said head; and
 an adding unit for embedding electronic watermark information in the data from said decoder ~~if~~ when the data from said decoder is output as recording data.

Claim 49 (currently amended): ~~An~~ The apparatus according to Claim 48, further comprising:

a determination circuit for determining the type of the recording medium based on the output signal from said head,

wherein said adding unit adds said electronic watermark information according to the type of the recording medium based on ~~a determination result from~~ said determination circuit.

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Claim 50 (currently amended): [[An]] The apparatus according to Claim 49, wherein said adding unit adds, ~~as said electronic watermark information,~~ electronic watermark information indicating at least one recording is allowed ~~if~~ when said determination circuit determines that the recording medium is a read-only recording medium.

Claim 51 (currently amended): ~~An~~ The apparatus according to Claim 49, wherein said adding unit adds, ~~as said electronic watermark information,~~ electronic watermark information indicating recording is prohibited ~~if~~ when said determination circuit determines that the recording medium is a recordable recording medium.

Claim 52 (currently amended): ~~An~~ The apparatus according to Claim 49, wherein said adding unit includes a generation circuit for

generating electronic watermark information according to ~~a result~~
~~of the determination of~~ said determination circuit[[,]] and an
adding circuit for adding the electronic watermark information
generated by said generation circuit ~~in~~ to the data from said
decoder.

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Claim 53 (currently amended): ~~An~~ The apparatus according to Claim
52, wherein said adding unit further includes a switch circuit
between said generation circuit and said adding circuit, said
apparatus further comprising a controller for closing said switch
circuit when the data from said decoder is output as the
recording data.

Claim 54 (currently amended): ~~An~~ The apparatus according to Claim
53, wherein said controller opens said switch circuit when the
data from said decoder is output as playback data.

Claim 55 (currently amended): ~~An~~ The apparatus according to Claim
49, wherein said adding unit adds, ~~as said electronic watermark~~
~~information,~~ electronic watermark information indicating the
~~original~~ data read from the recording medium when said
determination circuit determines that the recording medium is a

read-only recording medium.

Claim 56 (currently amended): ~~An~~ The apparatus according to Claim 49, wherein said adding unit adds, ~~as said electronic watermark information,~~ electronic watermark information indicating data is copied data when said determination circuit determines that the recording medium is a recordable recording medium.

A2 Claim 57 (currently amended): ~~An~~ The apparatus according to Claim 49, wherein said determination unit determines the type of the recording medium by determining whether ~~or not a detection signal~~ of a wobbled pit is ~~obtained~~ detected from the output signal from said head.

Claim 58 (currently amended): ~~An~~ The apparatus according to Claim 48, wherein said adding unit does not add said electronic watermark information ~~in~~ to the data from said decoder when the data from said decoder is output as playback data.

Claim 59 (currently amended): ~~An~~ The apparatus according to Claim 48, wherein said adding unit adds electronic watermark information according to an output format of the data from said

decoder when the data from said decoder is output as the recording data.

Claim 60 (currently amended): ~~An~~ The apparatus according to Claim 59, wherein said adding unit adds electronic watermark information for analog data ~~if~~ when the data from said decoder is ~~output in an analog signal format when~~ and the data from said decoder is output as the recording data.

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Claim 61 (currently amended): An apparatus according to Claim 60, further comprising a converter for converting the data from said decoder into an analog signal, wherein said adding unit includes a generation circuit for generating the electronic watermark information for analog data, and an adding circuit for adding the generated electronic watermark information for analog data in the analog signal from said converter.

Claim 62 (currently amended): ~~An~~ The apparatus according to Claim 61, wherein said adding circuit further includes a switch circuit between said generation circuit and said adding ~~circuit~~ circuit, said apparatus further comprising a controller for closing said switch circuit when the data from said decoder is output as the

recording data.

Claim 63 (currently amended): ~~Am~~ The apparatus according to Claim 62, wherein said controller opens said switch circuit when the data from said decoder is output as playback data.

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Claim 64 (currently amended): ~~Am~~ The apparatus according to Claim 59, wherein said adding unit adds electronic watermark information for digital data ~~if~~ when the data from said decoder ~~is output in a digital signal format when~~ and the data from said decoder is output as the recording data.

Claim 65 (currently amended): ~~Am~~ The apparatus according to Claim 64, wherein said adding unit includes a generation circuit for generating the electronic watermark information for digital data, and an adding circuit for adding the generated electronic watermark information for digital data ~~in~~ to the data from said converter.

Claim 66 (currently amended): ~~Am~~ The apparatus according to Claim 65, wherein said adding circuit further includes a switch circuit between said generation circuit and said adding ~~circuit~~ circuit,

said playing apparatus further comprising a controller for closing said switch circuit when the data from said decoder is output as the recording data.

Claim 67 (currently amended): ~~Am~~ The apparatus according to Claim 66, wherein said controller opens said switch circuit when the data from said decoder is output as playback data.

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Claim 68 (currently amended): A data recording apparatus comprising:

 a detector for detecting electronic watermark information from received data;

 an encoder for encoding the received data; and

 a controller for allowing the detected electronic watermark information from said detector to be decoded[[,]] and for controlling a recording ~~operation~~ of the data from said encoder according to the decoded electronic watermark information.

Claim 69 (currently amended): ~~Am~~ The apparatus according to Claim 68, wherein said controller ~~executes the recording operation of~~ records the data from said encoder when the electronic watermark information detected by said detector, ~~which~~ is decoded[[,]] and

indicates first recording is allowed.

Claim 70 (currently amended): ~~Am~~ The apparatus according to Claim 68, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when the electronic watermark information detected by said detector, ~~which~~ is decoded[[,]] and indicates recording is prohibited.

A2 Claim 71 (currently amended): ~~Am~~ The apparatus according to Claim 70, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when said detector cannot detect the electronic watermark information.

Claim 72 (currently amended): ~~Am~~ The apparatus according to Claim 68, wherein, ~~if~~ when the received data is ~~in~~ an analog signal ~~format~~, said detector detects electronic watermark information for analog data from the received data ~~in the analog format~~.

Claim 73 (currently amended): ~~Am~~ The apparatus according to Claim 72, wherein said controller ~~executes the recording operation of~~ records the data from said encoder when the electronic watermark information for analog data ~~which~~ is detected by said detector

~~and which, is decoded is electronic watermark information~~
~~indicating~~ and indicates one recording is allowed.

Claim 74 (currently amended): ~~An~~ The apparatus according to Claim 72, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when the electronic watermark information for analog data ~~which~~ is detected by said detector ~~and which, is decoded is electronic watermark information~~ ~~indicating~~ and indicates recording is prohibited.

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Claim 75 (currently amended): ~~An~~ The apparatus according to Claim 72, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when the electronic watermark information for analog data ~~was~~ is not detected by said detector.

Claim 76 (currently amended): ~~An~~ The apparatus according to Claim 68, wherein, ~~if~~ when the received data is ~~in~~ a digital signal ~~format~~, said detector detects electronic watermark information for digital data from the received data ~~in the digital format~~.

Claim 77 (currently amended): ~~An~~ The apparatus according to Claim 76, wherein said controller ~~executes the recording operation of~~

records the data from said encoder when the electronic watermark information for digital data ~~which~~ is detected by said detector ~~and which, is decoded is electronic watermark information~~ ~~indicating~~ and indicates one recording is allowed.

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Claim 78 (currently amended): ~~An~~ The apparatus according to Claim 76, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when the electronic watermark information for digital data ~~which~~ is detected by said detector ~~and which, is decoded is electronic watermark information~~ ~~indicating~~ and indicates recording is prohibited.

Claim 79 (currently amended): An apparatus according to Claim 76, wherein said controller cancels the recording ~~operation~~ of the data from said encoder when the electronic watermark information for digital data ~~was~~ is not detected by said detector.

Claim 80 (currently amended): An apparatus for playing back a recording medium, comprising:

a head for reading data from the recording medium;

a detector for detecting copy management information from an output signal from said head; and

an adding unit for adding electronic watermark information according to the detected copy management information ~~in~~ to the data read from the recording medium when the data read from the recording medium is output as recording data.

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Claim 81 (currently amended): ~~An~~ The apparatus according to Claim 80, wherein said adding unit includes a generation circuit for generating electronic watermark information according to ~~a result of the detection from~~ said detector[[,]] and an adding circuit for adding the electronic watermark information generated by said generation circuit ~~in~~ to the data read from the recording medium.

Claim 82 (currently amended): ~~An~~ The apparatus according to Claim 81, wherein said adding unit further includes a switch circuit between said generation circuit and said adding circuit, said apparatus further comprising a controller for closing said switch circuit when the data read from the recording medium is output as the recording data.

Claim 83 (currently amended): ~~An~~ The apparatus according to Claim 82, wherein said controller opens said switch circuit when the data read from the recording medium is output as playback data.

Claim 84 (currently amended): ~~Am~~ The apparatus according to Claim 81, wherein said generation circuit generates electronic watermark information indicating recording is prohibited when the copy management information detected by said detector is copy management information indicating at least one recording is allowed.

A2 Claim 85 (currently amended): ~~Am~~ The apparatus according to Claim 80, wherein ~~said~~ a controller prohibits the data read from the recording medium from being output as the recording data when the copy management information detected by said detector is copy management information indicating recording is prohibited.

Claim 86 (currently amended): ~~Am~~ The apparatus according to Claim 80, wherein said adding unit does not add said electronic watermark information ~~in~~ to the data read from the recording medium when the data read from the recording medium is output as playback data.

Claim 87 (currently amended): ~~Am~~ The apparatus according to Claim 80, wherein said adding unit adds electronic watermark

information according to an output format of the data read from the recording medium when the data read from the recording medium is output as the recording data.

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Claim 88 (currently amended): ~~Am~~ The apparatus according to Claim 87, wherein said adding unit adds electronic watermark information for analog data ~~if~~ when the data read from the recording medium is output ~~in~~ as an analog signal ~~format when and~~ the data read from the recording medium is output as the recording data.

Claim 89 (currently amended): ~~Am~~ The apparatus according to Claim 88, further comprising a converter for converting the data read from the recording medium into an analog signal, wherein said adding unit includes a generation circuit for generating the electronic watermark information for analog data, and an adding circuit for adding the generated electronic watermark information for analog data ~~in~~ to the analog signal from said converter.

Claim 90 (currently amended): ~~Am~~ The apparatus according to Claim 89, wherein said adding circuit further includes a switch circuit between said generation circuit and said adding ~~circuit~~ circuit,

said apparatus further comprising a controller for closing said switch circuit when the data read from the recording medium is output as the recording data.

Claim 91 (currently amended): ~~Am~~ The apparatus according to Claim 90, wherein said controller opens said switch circuit when the data read from the recording medium is output as playback data.

As Claim 92 (currently amended): ~~Am~~ The apparatus according to Claim 87, wherein said adding unit adds electronic watermark information for digital data ~~if~~ when the data read from the recording medium is output ~~in~~ as a digital signal ~~format~~ when and the data read from the recording medium is output as the recording data.

Claim 93 (currently amended): ~~Am~~ The apparatus according to Claim 92, wherein said adding unit includes a generation circuit for generating the electronic watermark information for digital data ~~[[,]]~~ and an adding circuit for adding the generated electronic watermark information for digital data ~~in~~ to the data read from the recording medium.

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Claim 94 (currently amended): ~~An~~ The apparatus according to Claim 93, wherein said adding circuit further includes a switch circuit between said generation circuit and said adding ~~circuit~~ circuit, said apparatus further comprising a controller for closing said switch circuit when the data read from the recording medium is output as the recording data.

Claim 95 (currently amended): ~~An~~ The apparatus according to Claim 94, wherein said controller opens said switch circuit when the data read from the recording medium is output as playback data.
